

Scott S. Cowen
President of the University

February 7, 2006

B. Robert Kreiser
Associate Secretary
American Association of University Professors
1012 Fourteenth Street, N.W., Suite 500
Washington, DC 20005-3465

Dear Dr. Kreiser:

We respond here, as President and Board Chair of Tulane University, to your January 26 letter. Feedback on any concerns that members of the Tulane faculty have is important to the University and to us. This is why President Cowen voluntarily reached out twice to the AAUP Secretary, Roger Bowen, most recently calling him to relate and discuss developments at Tulane, before we received your letter or knew that a letter was being sent to us from AAUP. We appreciated Secretary Bowen's acknowledgment that he was not aware of any evidence that Tulane has failed to follow its Faculty Handbook or other University policies in the course of addressing the University's post-Katrina restructuring.

We also welcome the opportunity to correct several of the inaccurate premises in your letter. Before we address them, however, we wish to remind you of the conditions to which colleges and universities in our area have been subjected for the last five months as a result of Hurricane Katrina. We believe that your letter does not reflect a full understanding of the unprecedented devastation this area and its institutions have suffered. We also want to tell you how disappointed we are that the AAUP did not give us a courtesy call before sending and widely distributing the letter that has now become a public document.

Hurricane Katrina was the worst natural disaster in American history. It resulted in the destruction of civic infrastructure, housing, and other assets of a major city and its institutions as well as the lives of its citizens. The financial loss is the largest a natural disaster has caused in the history of the United States, totaling in the tens of billions of dollars. The hurricane resulted in the largest metropolitan diaspora in U.S. history, such that the population of New Orleans is currently about one-third of its pre-Katrina size. Katrina caused Tulane University to close for over four months, the first time in over a century that a major research university has had to close for such a period due to a natural disaster. During this time, our faculty and staff were scattered across the United States and the world. The University reopened a few weeks ago, although certain programs cannot yet return to New Orleans. The University will sustain property

damages and operating losses in excess of \$300 million in this fiscal year alone. In addition, the university stood to suffer tens of millions of dollars of operating losses in the years ahead if no corrective action was taken.

To ensure the academic and financial survival of the institution after Hurricane Katrina, Tulane has adopted a Renewal Plan that we anticipate will help it to emerge as a viable -- indeed, eventually a stronger -- institution. This plan now gives us a basis for optimism about Tulane's future. However, the depopulation of New Orleans, uncertainty about the city's prospects, and other critical factors make it impossible to predict with certainty what the financial footing of the University will be in coming years. Therefore, from our perspective, we must give the Renewal Plan time to work to ensure that Tulane's future will be secure.

Any suggestion that the decisions about securing Tulane's future could have been postponed until the reopening of the university or beyond fails to grasp the gravity of the catastrophe the University has faced. The degree of damage to Tulane and the situation in New Orleans required the University to move decisively to stop the financial bleeding and adopt a plan for the future. Every day we waited to take corrective action jeopardized the survival and future of the University. We owed it to our current and prospective students, faculty, and staff to develop and present a plan before they decided whether to return to New Orleans. To emphasize this point, we sent out two e-mail messages to the Tulane community well in advance of the December board meeting to inform everyone of the necessity for a renewal plan. In these messages, we described the process to be followed and outlined the goals to be accomplished.

We strongly disagree with the suggestion that faculty interests were not appropriately accounted for in the decision-making process. Notwithstanding the unprecedented dispersal of the Tulane faculty and the need to adopt without delay a plan to save Tulane, no major decision was made without close faculty involvement. Throughout the process, there was frequent and substantive consultation with the President's Faculty Advisory Council (PFAC), a body elected by the University Senate and created precisely, according to the Senate Constitution, for the purpose of advising the President "when subjects of great urgency or delicacy require immediate consultation." The PFAC was consulted concerning the declaration of financial exigency and the Renewal Plan. In fact, every member of the PFAC volunteered, without being requested by the administration or the Board, to sign the declaration of financial exigency.

Decisions at Tulane since Katrina have been characterized by adherence to the Faculty Handbook and other University policies. Notwithstanding that terminated faculty can be expected to be very unhappy about termination decisions, the University believes that the termination decisions were taken in full compliance with its Faculty Handbook

Termination of faculty is a difficult and painful experience for all concerned, including us. In many instances the University afforded terminated faculty treatment more favorable than that which the Faculty Handbook required. The University separated all terminated faculty on terms equal to or greater than those called for in its policy. Tenured medical faculty who are terminated are receiving twelve months' severance, in accordance with the Handbook. Separated

non-tenured clinical medical faculty are receiving three to twelve months' severance, based on length of employment, although University policies do not require that. Throughout the four months when the University was closed, all of its faculties were paid full salary and benefits although they were not able to teach Tulane students or treat patients in our hospital. The University decided that medical faculty salaries during the closure and severance payments should include a clinical component, even though there was no clinical revenue to cover it. Likewise, the University has provided options for pre-K-12 schooling and low cost housing for any faculty family needing these accommodations for their return to the area. In light of the consideration it has given its faculty in the face of the devastating impact of Hurricane Katrina, to suggest that Tulane has been less than concerned for and considerate of its faculty is at odds with the facts.

We should also note for the record that the number of separated or to be separated tenured, tenure track and clinical faculty is 166, far less than the 200 plus you cited in your letter. As a result of the depopulation of New Orleans and other health related factors beyond our control, the vast majority of the separated faculty is from the School of Medicine.

To suggest that any Tulane faculty member has been denied access to the appeal procedure set forth in the Faculty Handbook is also incorrect. Although some faculty members have chosen to discuss their particular circumstances with the AAUP or perhaps others on our campus, no faculty member that we know of has been denied an opportunity to initiate a formal appeal.

Also incorrect is the suggestion that decisions to terminate faculty were somehow terminations "for cause." The terminations were predicated on the need to address the financial circumstances of the University and on the University's programmatic needs, and objectives, that those circumstances and the aim to save this institution entail.

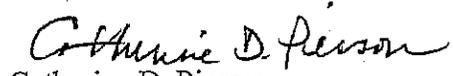
In sum, Tulane and other Gulf Coast colleges and universities confront acute circumstances of a kind and to an extent never before experienced in the history of American higher education. At Tulane, even under these trying conditions, faculty have been involved in key decisions, the University has diligently adhered to its institutional policies, and in many instances the University has afforded faculty an extent of consideration beyond the requirements of University policy. While we appreciate and understand the AAUP's interest in assisting its members, we respectfully submit that at this pivotal period in our University's history, public statements by the AAUP about Tulane that lack sound basis damage the University and threaten to harm, among others, current Tulane faculty, staff and students, all of whom have a compelling interest in seeing the University emerge from the crisis as a desirable place to work, study, teach, and learn. We hope and expect that AAUP does not desire to harm Tulane, and that the goals we share will be advanced, not impeded.

Finally, we hope and expect that the AAUP has not singled out Tulane University for public comment during this unprecedented historical moment while Tulane is doing everything humanly possible to secure its future for the current and next generation of faculty, staff, and students.

Sincerely,



Scott S. Cowen
President



Catherine D. Pierson
Chair, Board of Tulane University

Cc: Secretary Roger Bowen
Dr. Lester A. Lefton, Senior Vice President for Academic Affairs and Provost
Dr. Paul K. Whelton, Senior Vice President for Health Sciences
and Dean, School of Medicine
Dr. Nicholas J. Altiero, Dean, School of Engineering
Dr. Angelo Denisi, Dean, School of Business
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Professor Linda L. Carroll, AAUP Council, District V